

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARRETT ALLEN,

Plaintiff,

v.

DEBRA MOSSES, et al.,

Defendants.

Case No. 1:16-cv-204

HON. JANET T. NEFF

ORDER

This is a prisoner civil rights action. Defendant Debra Moses¹ filed a Motion for Summary Judgment (Dkt 11). The matter was referred to the Magistrate Judge, who issued a Report and Recommendation on November 3, 2016, recommending that this Court grant Defendant's motion, dismiss Plaintiff's claims against the Unknown Parties named as defendants for failure to timely effect service, and terminate this matter. The Report and Recommendation was duly served on the parties.² No objections have been filed. *See* 28 U.S.C. § 636(b)(1). Therefore,

IT IS HEREBY ORDERED that the Report and Recommendation (Dkt 14) is APPROVED and ADOPTED as the Opinion of the Court.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment (Dkt 11) is GRANTED for the reasons set forth in the Report and Recommendation.

IT IS FURTHER ORDERED that Plaintiff's claims against Defendant Moses are dismissed without prejudice for failure to exhaust administrative remedies. Plaintiff's claims against

¹Identified in the complaint as Debra Mosses.

²Service of the Report and Recommendation on Plaintiff was returned, marked "return to sender" and "paroled (no forwarding info available)." Plaintiff has failed to keep the Court apprised of his current address.

the Unknown Parties named as defendants in his complaint are dismissed without prejudice for failure to timely effect service.

IT IS FURTHER ORDERED that this Court certifies pursuant to 28 U.S.C. § 1915(a)(3) that an appeal of this decision would not be taken in good faith. *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997).

A Judgment will be entered consistent with this Order.

Dated: November 29, 2016

/s/ Janet T. Neff
JANET T. NEFF
United States District Judge